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COUNSEL FOR CLO HOLDCo, LTD.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Case No. 19-34054-sgj11
	§	
HIGHLAND CAPITAL MANAGEMENT, L.P.,	§	Chapter 11
	§	
	§	
Reorganized Debtor	§	

**CLO HOLDCO, LTD.’S AMENDED WITNESS AND EXHIBIT LIST WITH RESPECT
TO HEARING TO BE HELD ON AUGUST 4, 2022 at 2:30 PM (TO INCLUDE COPIES
OF DOCUMENTS PREVIOUSLY FILED UNDER SEAL THAT ARE NO LONGER
CONFIDENTIAL)**

CLO HoldCo, Ltd. (“CLO HoldCo”) submits the following witness and exhibit list with respect to the *Litigation Trustee’s Omnibus Objection Certain Amended and Superseded Claims and Zero Dollar Claims* [Dkt. No. 3001] and *Motion to Ratify Second Amendment to Proof of Claim [Claim No. 198]* and *Response to Objection to Claim* [Dkt. No. 3178], which the Court has set for evidentiary hearing at **2:30 p.m. (Central Time) on August 4, 2022** (the “Hearing”) [Dkt.

No. 3378] in the above-captioned bankruptcy case (the “Bankruptcy Case”). By agreement of the parties, the evidentiary hearing will be limited to the issue of the viability of the amendment to Proof of Claim No. 198 (by Proof of Claim No. 254). The question of allowance of Proof of Claim No. 254 is agreed by the parties to be set, if and as necessary, for a subsequent hearing date, and the parties reserve all rights with respect to allowance..

A. Witnesses:

1. Any witness necessary to authenticate any document;
2. Any witness identified by or called by another party; and
3. Any witness necessary for rebuttal.

B. Exhibits:

Number	Exhibit	Offered	Admitted
1.	Proof of Claim No. 133 (and all attachments thereto)		
2.	Proof of Claim No. 198 (and all attachments thereto)		
3.	Proof of Claim No. 254 (and all attachments thereto)		
4.	<i>Second Amended and Restated Service Agreement, Dated January 1, 2017</i> between Highland Capital Management, L.P. and Charitable DAF Fund, L.P., Charitable DAF GP		
5.	<i>Second Amended and Restated Investment Advisory Agreement</i> between Charitable DAF Fund, L.P., Charitable DAF GP, LLC, and Highland Capital Management, L.P.		
6.	Registration of Members of CLO HoldCo, Ltd.		
7.	<i>Termination of Second Amended and Restated Service Agreement</i>		

Number	Exhibit	Offered	Admitted
8.	Termination of <i>Second Amended and Restated Investment Advisory Agreement</i>		
9.	<i>Notice of Occurrence of Effective Date of Confirmed Fifth Amended Plan of Reorganization</i> [Dkt. No. 2700]		
10.	<i>Declaration of John A. Morris in Support of the Debtor's Motion for Entry of an Order Approving Settlements with (A) The Redeemer Committee of the Highland Crusader Fund (Claim No. 72) and (B) the Highland Crusader Funds (Claim No. 81) and Authorizing Actions Consistent Therewith</i> [Dkt. No. 1090] ¹		
11.	<i>Debtor's Motion For Entry of an Order Approving Settlements With (A) the Redeemer Committee of the Highland Crusader Fund (Claim No. 72), and (B) the Highland Crusader Funds (Claim No. 81), and Authorizing Actions Consistent Therewith</i> [Dkt. No. 1089]		
12.	Any document entered or filed in the Bankruptcy Case, including exhibits thereto		
13.	All exhibits identified by or offered by any other party at the Hearing		
14.	All exhibits necessary for impeachment and/or rebuttal Purposes		

¹ Exhibits 2-4 to this Declaration (the "Arbitration Awards") were previously filed under seal by *Order* [Dkt. No. 1125, Dkt. Nos. 1128-30]. Because the Arbitration Awards were filed under seal at Dkt. Nos. 1128-30, CLO HoldCo has not seen and cannot see what was filed on the docket by the Debtor. CLO HoldCo has learned from opposing counsel that the Arbitration Awards are no longer confidential and two have been filed into the record by the Debtor/Reorganized Debtor in Appellate Proceeding 21-00879, Dkt. No. 21. Therefore, CLO HoldCo refiles this Exhibit List with what CLO HoldCo identifies as true and correct copies of the Arbitration Awards and places them as they would have been filed in the Declaration, had they not been filed under seal separately. CLO HoldCo identifies these Arbitration Awards as true and correct copies of the referenced Arbitration Awards but specifically notes that they are being supplied by CLO HoldCo, after transmission to opposing counsel (CLO HoldCo counsel cannot attest that these documents were in fact the documents filed under seal, as we cannot see what was filed under seal). However, copies of these Arbitration Awards have been provided to counsel for the Debtor and the Litigation Trustee, before filing, and counsel have not advised undersigned counsel for CLO HoldCo that the copies of the Arbitration Awards are not true and correct copies of what was previously filed under seal.

Respectfully submitted:

KELLY HART PITRE

/s/ *Louis M. Phillips*

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that a true and correct copy of the above and foregoing document and all attachments thereto were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on this August 3, 2022 , as well as provided to counsel via email for the Litigation Trustee and the Reorganized Debtor in compliance with this Court's Local Rule 9014-1(c) and (d).

/s/ Louis M. Phillips

Louis M. Phillips